

ENTERED

February 15, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

BOSCO CREDIT II, LLC,

Plaintiff,

VS.

ROMAN V. GONZALEZ, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:21-CV-137

ORDER

In September 2021, Plaintiff Bosco Credit II, LLC filed this lawsuit against Defendants Roman V. and Glenda D. Gonzalez, seeking a declaratory judgment on a trespass to try title claim and a writ of possession as the Defendants have failed to leave their former home for over one year after Bosco Credit purchased the property at a foreclosure sale. After the Defendants failed to file a responsive pleading within the applicable deadline, Bosco Credit moved for default judgment. (Motion, Doc. 10) On November 30, the Clerk of Court issued an entry of default. (Doc. 12) About two weeks later, the Defendants filed a Motion for Leave to File an Original Answer, a Motion to Dismiss, and a Motion to Set Aside Entry of Default. (Doc. 16)

A United States Magistrate Judge recommends that Bosco Credit's Motion for Default Judgment be granted and that the Defendants' Motion be denied. (R&R, Doc. 24) No party filed objections to the Report and Recommendation, and the Court finds no clear error within it.

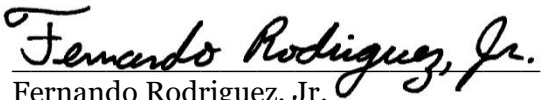
As a result, the Court **ADOPTS** the Report and Recommendation (Doc. 24). It is:

ORDERED that Defendants Roman V. and Glenda D. Gonzalez's Motion for Leave to File an Original Answer, a Motion to Dismiss, and a Motion to Set Aside Default Judgment (Doc. 16) is **DENIED**; and

ORDERED that Plaintiff Bosco Credit II, LLC's Motion for Default Judgment (Doc. 10) is **GRANTED**.

The Court will issue a Final Judgment in accordance with this Order.

Signed on February 15, 2022.


Fernando Rodriguez, Jr.
United States District Judge